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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/806,406

03/23/2004

Michael Anthony Dean

BBNT-P01-261

2304

28120 7590 01/19/2007

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EXAMINER

ALVESTEFFER, STEPHEN D

ART UNIT

PAPER NUMBER

2173

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

01/19/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/806,406

Applicant(s)

DEAN, MICHAEL ANTHONY

Examiner

Stephen Alvesteffer

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_.

### DETAILED ACTION

Claims 1-18 are presented for examination. Claims 1, 8, 10, and 11 are independent claims.

#### *Drawings*

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 502, 504, 506, 508, 510, 512, and 514. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

#### *Specification*

The disclosure is objected to because of the following informalities:

- On line 10 of paragraph [0012], "The system include an" should be corrected to —The system **includes** an—

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- On line 1 of paragraph [0015], the word "controllling" should be corrected to —controlling—
- On line 1 of paragraph [0032], the word "verstion" should be corrected to —version—

Appropriate correction is required.

### ***Claim Objections***

Claims 8 and 12-13 is objected to because of the following informalities:

- In claim 8, the period at the end of line 2 should be changed to a colon.
- In claims 12 and 13, the word "controllling" on the first line should be corrected to —controlling—

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-11 are rejected under 35 U.S.C. 102(b) as being anticipated by

Jordan et al. (hereinafter Jordan), United States Patent number 5,745,113.

Regarding claims 1-2, Jordan teaches a system for recording and displaying information about work practice that includes a relationship editor capable of displaying objects having start properties and stop properties related to the lifetimes of the objects (see column 9, "The Relationship Editor"). The relationship editor taught by Jordan can display objects represented by nodes, the nodes being connected by arcs which represent relationships between the nodes (see column 9, lines 15-20). Time data may be added to objects in the relationship diagram and the diagram may be viewed showing changes to objects over time (see column 9 line 64 through column 10 line 7). No patentable weight is being given to the limitation of Semantic Web statements because it is not incorporated into the recited method steps.

Regarding claim 3-5, Jordan teaches providing a time line editor tool for a user to select a timeframe for an object (see column 3, lines 21-34), including a start time and an end time (see column 11, line 39).

Regarding claim 6, Jordan teaches allowing the user to play back changes to the diagram over time using at least one timeframe increment (see column 10 line 58 through column 11 line 22).

Regarding claim 7, Jordan teaches that objects can be labeled (column 7, lines 8-16) and changes can be made to objects with assigned timing information for playback (column 9, last paragraph).

Claims 8 and 9 recite a system for displaying graphical representations of time varying information with substantially the same limitations as recited in

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claims 1-7 of the instant application. Therefore, claim 8 and 9 are rejected under the same grounds.

Claim 10 recites a method of displaying graphical representations of time varying information with substantially the same limitations as recited in claims 1-7 of the instant application. Claims 1-7 do not recite the filtering limitation, but Jordan teaches the use of filtering to change the graphical presentation of the data (see column 4, lines 53-55).

Claim 11 recites a computer-readable medium with substantially the same limitations as claim 5 of the instant application. Therefore, claim 11 is rejected under the same grounds.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 12-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jordan. Claims 12-18 recite a computer-readable medium with substantially the same limitations as claims 1-7 of the instant application. The limitations of the start and stop properties as datatypes taken from a listing of XML Schema Datatypes are absent from claims 1-7 of the instant application. Jordan teaches all the limitations of claims 12-18 except for the limitations of the start and stop

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properties as datatypes taken from a listing of XML Schema Datatypes. Using XML Schema Datatypes is an obvious variation in the implementation of the invention. Furthermore, the instant application states that other datatypes can be used (see last sentence of paragraph [0030]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use XML Schema Datatypes for the start and stop properties.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Alvesteffer whose telephone number is (571) 270-1295. The examiner can normally be reached on Monday-Friday 7:30AM-5:00PM, alternate Fridays off.

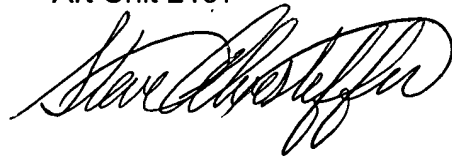
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Jackson can be reached on (571) 274-1279. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SA  
1-5-2007

Stephen Alvesteffer  
Examiner  
Art Unit 2197



GARY JACKSON  
SUPERVISORY PATENT EXAMINER

